

**UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Vale District Office
Jordan Resource Area**

Finding of No Significant Impact

Soldier Creek Road Maintenance Material Sites
Environmental Assessment
NEPA Register Number DOI-BLM-OR-V060-2011-071-EA
<http://www.blm.gov/or/districts/vale/plans/index.php>

Introduction

Jordan Resource Area, Vale District, has prepared an Environmental Assessment DOI-BLM-OR-V060-2011-071-EA (EA) to analyze the development of mineral material sites to be used as aggregate sources for the routine maintenance of the Soldier Creek Road (SCR).

The SCR provides access to approximately 315,000 acres of federally managed rangelands and connects with the County-maintained Fenwick Ranch Road. Livestock operators in the area depend on SCR for livestock transportation and herd management. Soldier Creek Road is designated as a Watchable Wildlife loop and invites visitors to explore the area. Much of the recreation use by the public is to gain access to the Three Forks Area or the middle section of the Owyhee Wild and Scenic River.

The purpose of the proposed action is to develop three sites with favorable geologic characteristics to provide rock aggregate for maintenance of the SCR. The Vale District BLM is tasked with maintaining the SCR to provide safe public and administrative access to public lands in the southeastern portion of the District. The maintenance of the SCR requires that rock material is available within a reasonable distance to the work area. The BLM needs to develop three material sites along the SCR to allow cost effective and efficient maintenance of BLM transportation plan roads.

Summary of the Actions described in the alternatives

The BLM has prepared the EA to analyze the expected effects of these actions. The EA is summarized and incorporated by reference in this Finding of No Significant Impact (FONSI). Both are available at the BLM office listed above, and on the internet at <http://www.blm.gov/or/districts/vale/index.php>

Two alternatives were analyzed in the EA. The No Action alternative would not provide new rock sources for road maintenance. Existing rock sources from designated community pits are between 11 and 40 miles from the primary road maintenance area. Using these sites would require pit preparation to include clearing, blast hole drilling, a blasting event, crushing,

stockpiling, and subsequent haulage to various locations along the SCR. Aggregate stockpiles would remain at the sites for future maintenance events. Engineering estimates show that additional dump trucks would be required to maintain operational efficiency with the increased haul distance.

The action alternative analyzed the potential impacts of developing three additional aggregate sites. Each site would require pit preparation to include clearing, blast hole drilling, a blasting event, crushing, stockpiling, and subsequent haulage. Aggregate stockpiles would remain at the sites for future maintenance events. The potential sites would be reasonably spaced along the SCR to provide shorter haul distance to complete the road maintenance. Shorter haul distances would allow fewer dump trucks to complete the work and provide less idle time for the grading equipment.

Context

The project is located at three locations along the length of the SCR and would have local impacts on the affected interests, lands and resources similar to, and within the scope of, those described and considered in the Southeastern Oregon Resource Management Plan/Final Environmental Impact Statement (RMP/FEIS, 2002). There would be no broad societal or regional impacts which were not considered in the PRMP/FEIS. The actions described in the EA represent anticipated program actions which comply with the Southeastern Oregon RMP/Record of Decision (ROD, 2002) implementing Mineral Resource management programs within the scope and context of this document.

The SCR is approximately 28 miles long beginning 15 miles west of Jordan Valley along U.S. Highway 95. The SCR was constructed by the Vale District Bureau of Land Management (BLM) in 1964 (Soldier Creek Access Road BLM Project 6307-A) as a cooperative project with the Federal Highways Administration. The road is a graded, drained, largely natural surface, three-season road identified in the BLM road inventory as #6366-0-00.

All three proposed material sites were selected for favorable geologic conditions while focusing on locations within Greater Sage-grouse “Low-Density” or “Preliminary General Habitat” (PGH). No nesting areas (leks) are known or identified within 0.5 miles of the proposed material sites. Each site was evaluated for special status plant species, invasive species, and cultural resources. No special resource values were found to be present.

Intensity

I have considered the potential intensity and severity of the impacts anticipated from the implementation of a Decision on this EA relative to each of the ten areas suggested for consideration by the CEQ. With regard to each:

- 1. Would any of the alternatives have significant beneficial or adverse impacts (40 CFR 1508.27(b)(1)?** *No*

Rationale: Both alternatives would result in localized adverse impacts at the individual aggregate site. Approximately 10 acres of surface vegetation and topsoil would be cleared from the extraction site, stockpile area, and access road. Topsoil would be stockpiled for future reclamation. Each site would have a stockpile of crushed rock for future road maintenance projects (EA, pg. 10). Beneficial impacts would occur upon completion of the road maintenance by reducing dust and sediment runoff from the road surface to adjacent drainages (EA, pg. 38). Road hazards such as ruts, rocks, and sharp dips would be removed allowing safer travel for the public.

The No-Action alternative would require longer haul distances from the existing material sites. To prevent the loading equipment at the material site and spreading equipment along the maintenance route from incurring undue stand-by time, more dump trucks would be needed for the project to meet operational schedules. Also, using existing material sites would require dump trucks to travel on the Fenwick Ranch Road. Fenwick Ranch Road is a natural-surface road maintained by the Malheur County Road Department and typically experiences intermittent traffic associated with ranching or recreation activities. The County Road Department completes yearly maintenance each June or July, but material haulage by a larger fleet of dump trucks along the Fenwick Ranch Road would rapidly degrade the road requiring additional, unplanned maintenance work by the County during and after haulage (EA, pg. 10). The unplanned maintenance equates to additional expense, but the intensity of the degradation would be no greater than that occurring each winter.

2. Would any of the alternatives have significant adverse impacts on public health and safety (40 CFR 1508.27(b)(2)? *No*

Rationale: Both alternatives would result in localized impacts at the aggregate extraction sites, but would provide material for the routine maintenance of the SCR. The public would not be allowed near the sites during development and would not typically be near the extraction sites post development. Upon completion of the SCR maintenance, the aggregate sites would be partially reclaimed to stabilize soils, control invasive species and the access route would be blocked to deter public entry. Physical hazards associated with the extraction site would be mitigated after use (EA, pg. 34).

3. Would any of the alternatives have significant adverse impacts on unique geographic characteristics (cultural or historic resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas (ACECs, RNAs, significant caves)) (40 CFR 1508.27 (b)(3)? *No*

Rationale: The SCR has been designated as a “Watchable Wildlife” loop road providing public access to portions of the Owyhee River rim. Access continues to the Three Forks area on the Owyhee River where rafting and outdoor enthusiasts can access basic camping facilities and the Owyhee River. The material site locations have been selected to be largely unnoticeable to travelers on the SCR (EA, pg. 32). Site development will require a one month period when additional activity including site clearing, drilling, crushing, and material stockpiling will create additional noise and dust. Blasting will be instantaneous with no

sustained noise or dust effects. Road maintenance is anticipated to require three months with activity moving along different road locations and material sites as work progresses.

- 4. Would any of the alternatives have highly controversial effects (40 CFR 1508.27(b)(4)?**
No

Rationale: The SCR has been in use for approximately 50 years and the original construction allowed material extraction adjacent to the road (EA, pg. 5). The sites adjacent to the road have long been abandoned and appear to have been re-contoured and naturally vegetated. The proposed sites will be 0.5 to 1.0 miles from the SCR and once development is completed will not be readily noticeable to travelers. The sites are located within sage-grouse PGH and development and operational timing will avoid nesting and brood-rearing season.

- 5. Would any of the alternatives have highly uncertain effects or involve unique or unknown risks? *No***

Rationale: General environmental analysis of material site development and routine road maintenance was completed in the Southeastern Oregon PRMP/FEIS (2002). This project will adhere to established Best Management Practices (BMP) and standard equipment operating procedures.

- 6. Would any of the alternatives establish a precedent for future actions with significant impacts (40 CFR 1508.27(b)(6)? *No***

Rationale: The development of the material sites is for the continued maintenance requirement for the SCR. The last major maintenance effort on the road was in 1982 and the road has sections that have deteriorated making it difficult to traverse during inclement weather. Additionally, some sections of the road are becoming eroded allowing excess sediment to reach the intermittent drainages. The development of material sites and the production of aggregate will allow BLM to complete short-duration periodic maintenance of the road once resurfacing is complete. Reasonably foreseeable development of additional rock aggregate sites was anticipated and documented in the Southeastern Oregon Resource Management Plan and Final Environmental Impact Statement, Appendix P-Mineral Development Scenarios (SEORMP FEIS, pg. 357).

- 7. Are any of the alternatives related to other actions with potentially significant cumulative impacts (40 CFR 1508.27(b)(7)? *No***

Rationale: The proposed material sites would be in addition to other Community Pits and Oregon Department of Transportation (ODOT) material sites in the region and within the Vale District. The distance of existing aggregate sites from the primary SCR maintenance area ranges from 11 to 40 miles. Many of the ODOT sites remain from the original construction of Highway 95 and several remain in use under authorization from the Federal Highway Administration. These highway sites require written authorization from ODOT for use by BLM. The remaining sites with the exception of the Soldier Creek Community Pit (sand and gravel) remain largely unused because the material is unsuitable as road base. The

Greeley Community Pit has little recent use and is naturally re-vegetating. The Coburn Community Pit is periodically used to produce aggregate for road maintenance.

At the time the EA was written, the BLM had no planned or proposed projects within the geographic scope of the analysis.

8. Would any of the alternatives have significant adverse impacts on scientific cultural or historic resources, including those listed or eligible for listing on the National Register of Historic Resources (40 CFR 1508.27(b)(8)? *No*

Rationale: Cultural surveys found no historic or paleontological resources at any of the potential rock source locations during the site-specific surveys.

9. Would any of the alternatives have significant adverse impacts on threatened or endangered species or their critical habitat (40 CFR 1508.27(b)(9)? *No*

Rationale: The proposed action would create three material sites not to exceed 60 acres of total surface disturbance for the excavation, stockpile operations, and site access. Each site was selected because favorable rock was exposed on the surface and there was a measure of previous disturbance. The Brewster Reservoir site has little pre-existing surface disturbance but is adjacent to an unmaintained dirt road approximately 0.5 miles east of the Fenwick Ranch Road.

Additionally, each site was evaluated for the presence of sage-grouse within PGH. While sage-grouse is a candidate species, the BLM-wide focus on the species warrants a hard look at effects to habitat and brood-rearing areas. The Black Butte and Slipper Reservoir sites are 2.0 miles from the nearest sage-grouse lek and the Brewster Reservoir is 0.5 miles from the nearest lek.

The duration of the proposed action will be approximately one month for material site development and 3 months for the maintenance of SCR. No operations will occur within the operational timing restriction for sage-grouse of March 1 through June 30 as suggested by the Oregon Department of Fish and Wildlife (ODFW). Upon completion of the road maintenance, safety berms will be installed around the pit area and the material sites will be scarified and re-vegetated with a native seed mixture approved by the Vale District Botanist.

Future maintenance efforts will typically require two or three days per year to access the stockpiles to provide material for spot road repairs.

10. Would any of the alternatives have effects that threaten to violate Federal, State, or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10)? *No*

Rationale: The proposed action and alternatives are within the analysis of the Southeastern Oregon PRMP/FEIS (2002) and associated BMP's as outlined in the EA.

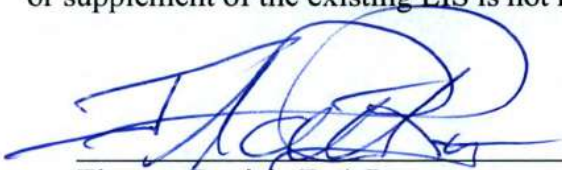
The proposed action meets the criteria set forth in Section II, Interim Conservation Policies and Procedures for “Preliminary General Habitat”, of IM-2012-043 as the aggregate material will be used to resurface the SCR within the existing road prism. Additionally, distance from active sage-grouse leks and operational timing limitations were considered for both alternatives (EA, pgs. 29 and 32).

As per page 86 in Greater Sage-Grouse Conservation Assessment and Strategy For Oregon: A Plan to Maintain and Enhance Populations and Habitat (ODFW Assessment) (ODFW, 2011)¹; Habitat Category-1: essential for greater sage-grouse populations and is limited by the inability to mitigate for habitat loss in these areas in a reasonable time frame, and is irreplaceable, (i) The mitigation goal for Category 1 is no loss of either habitat quality or quantity. To that end, the proposed material sites were selected in Low-Density or “General” sage-grouse habitat.


As per page 83 in the ODFW Assessment; Habitat Category 2: All sagebrush habitats and vegetation communities important to sage-grouse that occur within a low density strata or connectivity corridor are identified as Category 2 habitats, because these sites are identified as essential and limited. However, the low productivity of these sites for sage-grouse suggest that mitigating for net increases elsewhere may be possible.

Finding

On the basis of the information contained in the EA, the consideration of the intensity factors described above, and all other information available to me, it is my determination that: (1) the Proposed Action and alternatives are in conformance with the Southeastern Oregon RMP ROD; (2) there would be no adverse societal or regional impacts and no adverse impacts to the affected interests; and (3) the environmental effects, together with the proposed project Design Features, against the tests of significance (described above and found at 40 CFR 1508.27) do not constitute a major federal action having a significant effect on the human environment. Therefore, an EIS or supplement of the existing EIS is not necessary and will not be prepared.



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Date

¹ http://www.dfw.state.or.us/wildlife/sagegrouse/docs/20110422_GRSG_April_Final%2052511.pdf